



EX PARTE OR LATE FILED

ORIGINAL

Lisa B. Smith
Senior Policy Counsel/Director

1133 Nineteenth Street, NW
Washington, DC 20036
202 887 2992
Fax 202 736 6359

ORIGINAL

March 14, 2002

Dorothy Attwood
Chief, Common Carrier Bureau
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

RECEIVED

MAR 15 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

David Solomon
Chief, Enforcement Bureau
Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

Re: SBC's Request for Extension of its Deadline for Implementation of the Uniform and Enhanced OSS Interface Mandated by the SBC/Ameritech Merger Conditions
CC Docket No. 98-141 /

Dear Ms. Attwood and Mr. Solomon:

I am writing on behalf of WorldCom, Inc. to request that the Federal Communications Commission ("Commission") direct SBC Communications, Inc. ("SBC") to make payments to the U.S. Treasury, pursuant to paragraph 382 of the SBC/Ameritech Merger Order,¹ for missing its 18 month Uniform and Enhanced OSS Interface ("U&E OSS Interface") implementation deadline mandated by the Merger Order.² SBC has violated the Merger Order by failing to have an operationally ready release available by the deadline.

In a letter dated February 25, 2002, SBC requested that the Commission, pursuant to paragraph 72 of Appendix C of the Merger Order ("Merger Conditions"), grant SBC yet another

¹ *Applications of Ameritech Corp., Transferor and SBC Communications, Inc., Transferee for Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Section 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95 and 101 of the Commission's Rules*, CC Docket No. 98-141, *Memorandum Opinion and Order*, 14 FCC Rcd 14712 (1999) ("Merger Order").

² *Id.*, Appendix C, para. 28(c)(1) ("The target date for completion of Phase 3 is 18 months after completion of Phase 2, with the exception of the SBC/Ameritech Service Area within Connecticut where the target date shall be 24 months after completion of Phase 2."). Phase 2 concluded on September 22, 2000 and, consequently, the deadline for completion of Phase 3 (except for Connecticut) is on March 22, 2002.

No. of Copies rec'd. 014
List ABOVE

extension of its U&E OSS Interface deadline.³ This extension, SBC maintains, is necessary because of “serious software problems” with the system SBC developed. That SBC took excessive time to develop a defective system hardly constitutes a good faith effort to comply with the Merger Order and certainly does not establish “good cause” for an extension. SBC had long known the status of its existing OSS systems, and thus the scope of this project, when it committed to comply with the Merger Conditions. There have been no new or unexpected developments outside of SBC’s control since the dates were established. Indeed, the only unexpected event has been SBC’s success in delaying implementation this long by releasing grossly inaccurate documentation, and thereby needlessly prolonging the collaborative process. Simply put, SBC’s prior delays do not constitute “good cause” to justify further delays.

SBC makes the farcical assertion that it “could proceed with implementation of the ... [interface].... However, it wants to provide the best possible service to its wholesale customers and is concerned that the software problems it has identified could disrupt the operations of some CLECs.”⁴ To begin with, in the same letter, SBC admits the release is plagued with “*serious software problems.*” It is obvious that if SBC “proceed[s] with implementation,” the resultant product will be worse than useless; it would harm CLEC customers. Implementation of the release in its present incarnation would disrupt operations and waste the time of all parties involved. Thus, contrary to SBC’s assertion, this is not an issue of one level of quality over another – the interface, in its current form, is simply not viable. The stark reality is that 2 1/2 years after the Merger Order was issued, SBC does not have an operationally ready interface to deploy.

SBC also contends that “CLECs generally did not object to SBC’s recommendation to delay implementation of the releases,” and, when SBC announced specific dates for the delay, “[t]he CLECs concurred in the new release schedule.”⁵ It is astonishing that SBC would imply that CLECs had any choice in the matter. Presented with the option of “on-time” implementation of a release with “serious software problems” that are customer-impacting, WorldCom of course did not oppose SBC’s decision to refrain from installing a defective product. That hardly constitutes an endorsement of SBC’s conduct. The Merger Order does not contemplate compliance by releasing a defective product.

SBC also relies on its prior extension request from the arbitration panel, and the lack of objection to that request, to justify yet another extension. For a company that has been sanctioned more than once for making false and misleading statements to the Commission, this line of argument is remarkable for the material facts it does not include. SBC fails to advise the Commission that as a condition of WorldCom not objecting to SBC’s prior extension request, *SBC promised not to seek any further extensions of the U&E Interface deadlines, absent*

³ Letter from Priscilla Hill-Ardoin, Senior Vice President, SBC Communications, Inc., to Dorothy Attwood, Chief, Common Carrier Bureau, Federal Communications Commission (Feb. 25, 2002) (“*SBC Extension Letter*”). As discussed below, the current deadline is far later than the Merger Order contemplated, due to SBC’s repeated failure to issue accurate documentation and specifications.

⁴ *SBC Extension Letter* at 8.

⁵ *Id.* at 2.

circumstances outside SBC's control.⁶ For this reason as well, good cause does not exist for SBC's request.⁷

SBC has also thoroughly distorted the history of the uniform interface process by implying that the CLECs somehow brought about the implementation delay. SBC notes that "CLECs raised 800 issues regarding SBC's existing interfaces, and the field level specifications for the POR releases. These issues required SBC to research the feasibility of CLEC requests, provide detailed explanations of various OSS functions, and clarify or revise its documentation, which was thousands of pages long."⁸ SBC would thus have the Commission believe that CLECs caused the delay by seeking new functionality. Nothing could be further from the truth. The issues lists were required, as well as the extended "Additional Collaboratives," because SBC consistently released shoddy documentation. Instead of taking the time to create accurate specifications and to detail its OSS plans, SBC released a bare-bones outline of its plans. After months of meetings (which should have been unnecessary) to glean from SBC its actual plans, the parties reached agreement on the required functionality, only to find that SBC did not bother to create accurate specifications. SBC simply found a way to game the system: by releasing half-baked documentation on the due dates, SBC could avoid fines, extend the collaboratives for months to correct the documentation, and thereby extend the implementation dates, which were tied to the collaboratives.

WorldCom and other CLECs have repeatedly advised the Commission of these tactics,⁹ and warned that SBC would inevitably seek an extension of the interface deadlines. It is for this reason that WorldCom demanded that SBC agree not to seek further extensions absent circumstances beyond its control – yet another promise SBC has breached.

The POR was not the only inadequate documentation SBC provided; the Local Service Ordering Requirements ("LSOR") and Local Service Pre-Ordering Requirements ("LSPOR")

⁶ WorldCom is submitting supporting documentation on this point to the Commission under separate cover in the event SBC claims that it is confidential. WorldCom did not agree to treat the relevant agreement as confidential, and does not believe it is otherwise subject to any confidentiality restriction. However, out of an abundance of caution, WorldCom has not included the agreement with this filing.

⁷ In addition, the Commission should take into account SBC's lack of candor in ruling on its request and in establishing appropriate sanctions.

⁸ *SBC Extension Letter* at 5.

⁹ See, e.g., Letter from Lisa R. Youngers, Associate Counsel, WorldCom, Inc., to Dorothy Attwood, Chief, Common Carrier Bureau, Federal Communications Commission (Aug. 8, 2000) at 2 ("The POR submitted by SBC on March 7, 2000 was woefully inadequate to serve [the Merger Conditions'] purpose, and caused the entire collaborative process and implementation phase to be delayed.... For example, the POR contained no information and no analysis of where SBC's 'existing business processes and rules' differ from (to quote the merger condition) the 'standards and guidelines as defined, adopted and periodically updated by the Alliance for Telecommunications Industry Solutions ('ATIS') for OSS' for the pre-ordering, ordering, provisioning, maintenance/repair interfaces.") (Attachment A); See also, e-mail from Dennis Guard, Associate Counsel, WorldCom, Inc., to Anthony Dale, Senior Attorney, Accounting Safeguards Division, Common Carrier Bureau, Federal Communications Communications, (March 2, 2001) ("In the past there have been a number of inaccuracies in SBC's documentation and content that SBC was unable to explain, which delayed the collaborative process. It is important that the POR be comprehensive and accurate.") (Attachment B).

documentation – critical documents required to develop to the U&E OSS Interface – were themselves riddled with omissions and internal inconsistencies. WorldCom and other CLECs spent thousands of hours in unreimbursed time identifying and correcting the mistakes, essentially acting as SBC’s quality control department. By releasing faulty documentation up front, SBC succeeded in draining WorldCom’s resources and in delaying implementation. This ploy ultimately led not only to the delay of the uniform interfaces, but also to the delay of uniform business rules.¹⁰

In its August 13, 2001 letter granting the Business Rules Plan of Record (“BR POR”) collaboratives extension, the Commission recognized the connection between the missing documentation and the development of uniform business rules: “In addition, I understand that, by August 31, 2001, SBC will provide information to the CLECs that is needed for productive discussions of business rules in the on-going collaborative sessions.”¹¹ The Commission specifically noted “[a]t the July 10, 2001 meeting, SBC and the CLECs explained that certain documents prepared in the process for SBC’s deployment of uniform and enhanced OSS were needed before starting additional collaborative sessions on the Business Rules Plan of Record. These documents include SBC’s Local Service Ordering Requirements, its Local Service Pre-Ordering Requirements, and the ‘issues list’ arising from meetings between SBC and the CLECs in July and August 2001.”¹² Thus, the Commission was instructing SBC to deliver documentation in August that SBC was already obligated to provide in the Spring of 2001.¹³ Moreover, even after SBC delivered the “final” LSOR/LSPOR documentation on August 31, 2001, it too was riddled with problems.

Paragraph 382 of the Merger Order provides a mechanism whereby voluntary incentive payments are triggered should SBC miss its 18 month implementation deadline. By its own admission, SBC will miss its already extended target date. WorldCom respectfully requests that the Commission find SBC in violation of the Merger Order, direct SBC to make the appropriate changes to comply with the Merger Order within 32 days of March 22, 2002 and direct SBC to make the voluntary incentive payments associated with this missed target date from the original implementation dates of February 28 and March 22, 2002 and sanction SBC for its repeated violations of the Merger Order.

¹⁰ See, e.g., e-mail from Dennis Guard, Associate Counsel, WorldCom, Inc., to Christopher Heimann, General Attorney, SBC Communications, Inc. (May 23, 2001) (“To reiterate, WorldCom is troubled by the substantial problems with SBC’s uniform interface documentation. Because of the inaccurate and incomplete information in SBC’s documentation, it would not be productive to continue with business rules discussions at this time.”) (Attachment C).

¹¹ Letter from Carol E. Matthey, Deputy Chief, Common Carrier Bureau, Federal Communications Commission, to Sandra L. Wagner, Vice President, Federal Regulatory, SBC Telecommunications, Inc. (rel. Aug. 13, 2001) at 2.

¹² *Id.* n. 6.

¹³ See updated schedule submitted along with POR on 9/22/00 (establishing “Publication of Uniform Interface LSOR” and “Publication of Uniform Interface LSPOR” both on 3/21/01). This deadline was subsequently moved to later in the Spring.

Please do not hesitate to contact me at the above number should you have any questions or need anything further. Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa B. Smith", written over the word "Sincerely,".

Lisa B. Smith
WorldCom, Inc.

cc: Carol Matthey, FCC
Radhika Karmarkar, FCC
Tony Dale, FCC
Christopher Heimann, SBC

Attachment A

MCI WORLD COM

ORIGINAL

ORIGINAL

Lisa R. Youngers
Associate Counsel

1801 Pennsylvania Avenue, NW
Suite 432
Washington, DC 20006

EX PARTE OR LATE FILED

August 8, 2000

RECEIVED

AUG 8 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street S.W.
Washington, D.C. 20554

Re: SBC-Ameritech OSS Plan of Record
CC Docket No. 98 -141

Dear Ms. Salas:

Please include the attached joint letter from WorldCom, Inc., AT&T Corp., Birch Communications, CoreComm, Inc., Covad Communications Inc., McLeodUSA Telecommunications, Inc., RhythmsNet, Inc., and Sprint Corp. as part of the record in the above-referenced docket.

If you have any questions, please contact the undersigned at (202)887-2828.

Sincerely,



Lisa R. Youngers

cc Carol Matthey
Anthony Dale
Chris Heimann, SBC
Glen Sirles, SBC

No. of Copies rec'd 074
List A B C D E

August 8, 2000

RECEIVED

AUG 8 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Dorothy Attwood
Chief, Common Carrier Bureau
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Re: SBC/Ameritech Proposed Plans of Record to Implement Uniform and Enhanced
OSS filed on May 19, 2000 and Revision filed on July 17, 2000

Dear Ms. Attwood:

This letter is being submitted on behalf of the following CLECs who have participated in the SBC Uniform and Enhanced OSS Collaborative pursuant to the SBC/Ameritech Merger Order: AT&T Corp., Birch Communications, CoreComm, Inc., Covad Communications Inc., McLeodUSA Telecommunications, Inc., RhythmsNet, Inc., Sprint Corp., and WorldCom Inc. (the CLECs). We request that the Common Carrier Bureau ("the Bureau") immediately instruct SBC to implement the revised Plan of Record ("POR"), once it is finally submitted by SBC,¹ with the exception of the unilateral changes SBC made in violation of the merger conditions. Because SBC has already succeeded in substantially delaying implementation of uniform OSS interfaces, it is important that the Bureau order implementation (Phase III) to begin immediately.

¹ Incredibly, SBC has delayed the filing of the POR over the past several weeks. On June 30, SBC indicated it would need just a few days to "update" the POR and then submit it to the FCC. CLECs did not see this "revised" POR, however, until two weeks later on July 14. At that time, SBC indicated it would file the POR with the FCC the week of July 17. This did not occur. During a phone call with the CLECs on July 31, SBC confirmed that the POR had still not been filed with the FCC and that they would file the POR the first week of August. As of the date of this letter, SBC still has not filed the POR. This failure is itself a prime example of SBC's efforts to substantially delay implementation of uniform OSS interfaces by any means possible.

It is not necessary for purposes of this letter to recount the entire history of SBC's noncompliance and dilatory tactics, but some background on the negotiation process may be helpful to the Bureau. As you know, pursuant to paragraph 27 of the Merger Order conditions, SBC is obligated to provide industry standard, uniform application-to-application OSS interfaces across its region within 24 months of the merger closing date (in the 13 state SBC/Ameritech region and 30 months in the SNET region) (the "24 Month Commitment"). In order to comply with this mandate, SBC was also required to submit, within 150 days of closing, a POR containing "an overall assessment of SBC's and Ameritech's existing OSS interfaces, business processes and rules, hardware capabilities, data capabilities, and differences, and SBC/Ameritech's plan for developing and deploying uniform application-to-application interfaces and graphical user interfaces for OSS." Merger Condition 28(a).

The POR submitted by SBC on March 7, 2000 was woefully inadequate to serve this purpose, and caused the entire collaborative process and implementation phase to be delayed. Among other things, CLECs must wait until the implementation phase for information that SBC should have provided in the March 7 POR. For example, the POR contained no information and no analysis of where SBC's "existing businesses processes and rules" differ from (to quote the merger condition) the "standards and guidelines as defined, adopted and periodically updated by the Alliance for Telecommunications Industry Solutions ("ATIS") for OSS" for the pre-ordering, ordering, provisioning, maintenance/repair interfaces. That information will not be provided by SBC until the Implementation Phase III but is necessary for CLECs to determine whether what SBC is proposing will result in interfaces which comply with SBC's merger commitment.

Nor did the POR identify the changes needed in SBC's future systems in order to comply with ATIS. In collaborative negotiations, SBC representatives consistently claimed that CLECs did not necessarily "want" SBC to deliver fully compliant interfaces. However, nowhere in the POR does SBC identify the functionality that will not be provided in accordance with ATIS industry standards (or the negative effect of providing that functionality in compliance with industry standards) versus the functionality that would be provided in accordance with ATIS industry standards. SBC will not provide that information until Phase III as well. In short, the POR as drafted did not (and does not) contain the information and analysis necessary for CLECs to determine whether SBC would comply with its merger commitment to deploy systems compliant with the "standards and guidelines as defined, adopted and periodically updated by the [ATIS] for OSS" for the pre-ordering, ordering, provisioning, maintenance/repair interfaces. CLECs were essentially being asked to sign off on a vague outline of a systems plan pursuant to which SBC had unilateral power to fill in all of the blanks. Obviously, this slowed the process of completing the Phase II collaboratives.

In the collaborative phase, the parties reached agreement on a number of issues but remained far apart on others, including: delayed delivery of key OSS functionality, compliance with DSL requirements, the composition of the joint testing environment, the lack of an integrated pre-order/order GUI, and the provision of information

regarding SBC's retail operations which demonstrates that CLECs are being provided "non-discriminatory access to UNEs". For example, SBC refused to provide information on how it will comply with obligations to implement line sharing and how it will provide nondiscriminatory access to information necessary for competition in advanced services. When it became clear that further discussion on the unresolved issues would not lead to resolution, CLECs notified SBC and the Commission of that fact on May 26, 2000. Unfortunately, CLECs were then left with no viable option to both secure compliance with the merger conditions and avoid further delays in implementation of uniform interfaces. SBC had made clear that if the CLECs requested arbitration (before SBC's appointed arbitrator), SBC would further delay the implementation phase and seek an extension of the 24-month deadline. Our choice was to accept the functionality offered by SBC in September 2001 or choose arbitration and risk not obtaining even that functionality until an undetermined number of months beyond September 2001. Unfortunately, the latter option is not a gamble our businesses can take. In many respects (especially in the areas discussed above), implementation of SBC's proposed POR will not result in systems which comply fully with SBC's Section 251 obligations.

On June 30, 2000, the CLECs and SBC agreed on several changes to the May 19 POR – including changes needed to document agreed issues, open issues, and deferred issues. No dates in the May 19 POR were changed. Although CLECs do not agree with the SBC dates reflected in the May 19 POR, for the reasons stated above we concluded that arbitrating would only further delay implementation of uniform interfaces. Thus, at the conclusion of the June 30 meeting, the CLECs advised SBC that they would not be seeking arbitration in Phase II, would request the FCC to order SBC to immediately implement the revised POR and would address the other outstanding issues (like those discussed above) in other forums. All that remained was for SBC to update the POR to reflect the few issues addressed in the June 30 call. As discussed, SBC has instead delayed the filing of the POR with the FCC.

It became immediately clear that SBC had been counting on additional months of delayed implementation by forcing CLECs to arbitrate, as SBC engaged in additional bad faith tactics in an effort to derail the implementation process. After delaying for two weeks to prepare the simple updates to the POR reflecting the few issues discussed on June 30, SBC produced a revised POR that purported to unilaterally extend the dates for interim deliverables.² SBC revised the dates from the May 19 POR even though the

² The CLECs object to other unilateral changes made by SBC from the May 19 POR to the July 14 POR. For instance, the CLECs object to SBC's statement in its July 14 POR in the Implementation Phase Work Plan section (p. 79) that any "increased levels of functionality that would delay implementation of the POR" should allow SBC to request a new target date for completion of Phase 3. There was never any discussion of the inclusion of this statement with the CLECs on June 30 or at any time in the month of June. This statement is clearly intended to block CLEC requests for LSOG 5 functionality and will serve as an additional delay by SBC with respect to implementation.

dates had not been discussed in the June 30 meeting. Even more egregiously, in the July 14 POR revision SBC purports to have unilaterally extended the 24-month implementation deadline. SBC has taken this unlawful step in a desperate attempt to force CLECs to arbitrate and thus further delay the implementation phase.

SBC cannot, however, unilaterally change fixed, pre-established merger obligations. The 24-month deadline in paragraph 27 of the Merger Order is not an arbitrable issue, but a firm deadline – one SBC may also not extend by delaying its filing of the revised POR. Accordingly, the Bureau should put a stop to SBC's bad faith tactics and immediately order SBC to implement the July 14 revised POR while maintaining the delivery dates SBC itself insisted on in Table 28 of the May 19 POR.³ Prompt action by the Bureau is essential to avoid additional delays in implementation of uniform interfaces.

Although the CLECs have chosen not to arbitrate the Phase II issues, we reserve our right to seek any and all available relief at law, including enforcement actions against SBC for violating the Merger Order and its section 251 obligations. The CLECs also restate their earlier position from the May 19 POR that CLECs reserve the right to assert that nothing in this POR has any preclusive affect on any standards, guidelines,

³ In addition, there are many remaining unresolved DSL issues that should be held in abeyance until the Bureau releases its decision on the outstanding issues in the Advanced Services POR proceeding. Once that determination is released, CLECs will be able to notify SBC and the Commission whether there are any DSL-related issues to be arbitrated.

timelines or activities established on a state by state basis. SBC chose to unilaterally remove this reservation of rights by the CLECs in its July 14 POR.

Please do not hesitate to contact us if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Lisa R. Youngers". The signature is fluid and cursive, with the first name "Lisa" being the most prominent.

Lisa R. Youngers
WorldCom, Inc.

On behalf of:

AT&T Corp.
Birch Communications
CoreComm, Inc.
Covad Communications Inc.
McLeodUSA Telecommunications,
RhythmsNet, Inc.,
Sprint Corp.

cc: Carol Matthey, FCC
Tony Dale, FCC
Chris Heimann, SBC
Glen Sirles, SBC

Attachment B

From: Dennis Guard [Dennis.Guard@wcom.com]
Sent: Friday, March 02, 2001 2:32 PM
To: 'ADALE@fcc.gov'
Cc: 'mstone@fcc.gov'; Jerry EPSTEIN (E-mail); Lisa R Youngers (E-mail); Lisa B Smith (E-mail); 'CH1541@corp.sbc.com'

Tony,

I am writing on behalf of WorldCom regarding SBC's request for an extension of the Business Rules Plan of Record (BRPORA) delivery deadline from March 15, 2001 to March 28, 2001. WorldCom does not object to this extension. However, we would like to point out that, as with prior brief extensions, we do not agree to extend any other deadlines, and we emphasize that SBC should not be permitted to use this brief extension to secure additional extensions in later months. We hope that SBC will make good use of this extension to deliver an accurate and comprehensive Business Rules POR. In the past there have been a number of inaccuracies in SBC's documentation and content that SBC was unable to explain, which delayed the collaborative process. It is important that the POR be comprehensive and accurate.

Additionally, WorldCom understands that SBC is in agreement that once the BRPORA is released, the CLECs will need a 30-day window to comment on the plan. This analysis and comment period will help ensure a more effective use of all parties' time once the collaboratives begin. As you will recall, SBC agreed to a similar request by the CLECs last year for a 30-day comment window in connection with the Uniform and Enhanced POR.

Please call me at the below number if you have any questions.

Thank you.

Dennis Guard
WorldCom
202-736-6148

Attachment C

From: Dennis Guard [Dennis.Guard@wcom.com]
Sent: Wednesday, May 23, 2001 4:32 PM
To: 'Heimann, Christopher M (Legal)'
Cc: Lisa B Smith (E-mail); Lisa R Youngers (E-mail); Jerry EPSTEIN (E-mail)
Subject: RE: BR POR

Christopher:

I am writing on behalf of WorldCom, Inc. ("WorldCom") to follow up on the parties' discussion of a possible postponement of the Phase 2 Collaborative Sessions of SBC's Business Rules Plan of Record ("BR POR"). To reiterate, WorldCom is troubled by the substantial problems with SBC's uniform interface documentation. Because of the inaccurate and incomplete information in SBC's documentation, it would not be productive to continue with business rules discussions at this time.

Accordingly, WorldCom would not object to a postponement of the continuation of the business rule collaboratives to August 31, 2001, one month after the documentation walk-through. By the time of the walk through, SBC must have corrected all problems with its existing documentation, permitting productive discussions of business rules. We agree to this postponement so that SBC can cure its documentation, and agree only on the following conditions:

1. The postponement described above is limited in scope to Phase 2 of the BR POR. This delay will have no effect whatsoever on SBC's commitments and deadlines in any other areas, including, but not limited to: implementation of the Uniform and Enhanced POR ("U&E POR"), settlement agreements reached in the context of the U&E POR, and SBC's E911 and TN-migration commitments.
2. Apart from agreeing not to oppose postponement of the BR POR discussions until August 31, 2001, WorldCom reserves any and all other rights and remedies, including but not limited to its right to seek arbitration pursuant to the terms of the SBC/Ameritech Merger Order, and its right to seek any other available relief or remedies before the FCC.

Sincerely

Dennis Guard
WorldCom Inc.
202-736-6148

-----Original Message-----

From: Heimann, Christopher M (Legal) [mailto:ch1541@sbc.com]
Sent: Tuesday, May 22, 2001 8:50 AM
To: Dennis.Guard@wcom.com
Subject: BR POR

Dennis,

I wanted to get back to you to see where WorldCom stands on the 45 day extension to the BR POR. During the collaborative, it seemed as if WCom supported it, but you indicated you would need to get back to us. We would

like to file something in the next day or so, and would like to know where WCom stands before we do. Please let me know at your earliest convenience.

Thank you.

Christopher

202-326-8909